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FAX NUMBER TRANSMITTED TO: 703-872-9306

DATE: April 5, 2004

TO: Examiner Wendy Haas

FROM: Aaron T. Borrowman

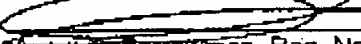
RE: Our Docket No. BROKAW-40124

Number of pages being sent, including cover sheet: 18

MESSAGE:

** INCLUDING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE
US IMMEDIATELY AT (818) 347-7900.

I hereby certify that this correspondence is being faxed to the Examiner at 703 872-9306 on April 5, 2004.


Aaron T. Borrowman, Reg. No. 42,348 April 5, 2004 Date

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of)	Group Art Unit: 1661
Josef Stefan Köhne)	
Serial No. 10/046,490)	Examiner:
)	Wendy Haas
Filed: October 25, 2001)	
For: AVOCADO TREE NAMED)	Docket No.
'MERENSKY 2')	BROKAW-40124
)	
)	
)	

OFFICIAL COMMUNICATION

Dear Madame:

In a April 2, 2004 telephone discussion with the Examiner Wendy Haas, it was indicated that there was no record of the following Amendment, filed on November 21, 2003 (as evidenced by the Certificate of Service) and received at the United States Patent and Trademark Office on November 25, 2003 (as evidenced by the postcard).

Respectfully submitted,
KELLY BAUERSFELD LOWRY & KELLEY, LLP


Aaron T. Borrowman
Registration No. 42,348

ATB/kr
6320 Canoga Avenue, Suite 1650
Woodland Hills, California 91367
(818) 347-7900

Please acknowledge receipt of our AMENDMENT AF, FOR
PTO/SB/21 by affixing hereon the Patent and Trademark Office
date stamp and returning same to our office.
In re application of:

Josef Stefan Kohne
Appl. No. 10/046,490
Filed: October 25, 2001
For: AVOCADO TREE NAMED 'MERENSKY 2'
Mailed: November 21, 2003
BROKAW-40124
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS-BOX AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 21, 2003.

Aaron T. Borrowman, Reg. No. 42,348
November 21, 2003
Date

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 1661
Josef Stefan Köhne)	
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Filed: October 25, 2001)	
)	Docket No.
For: AVOCADO TREE NAMED)	BROKAW-40124
'MERENSKY 2')	
)	
)	

AMENDMENT

MS: Amendment -No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Madame:

In response to an Office Action dated October 23, 2003, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 15 of this paper.